IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CASE NO. 5:21-CV-033-KDB-DCK

GLYNNDEVINS, INC.,)
Plaintiff,)
v.) ORDER
NC HOMES ASSOCIATES, LLC,))
Defendant.)))

THIS MATTER IS BEFORE THE COURT regarding scheduling concerns. This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the record, and in consultation with the Honorable Kenneth D. Bell's staff, the undersigned will lift the stay.

The undersigned observes that on June 4, 2021, Judge Bell allowed the parties' request to stay this action for sixty (60) days while they conducted mediation and engaged in further settlement discussions. See (Document No. 8). As such, the Court also granted the "Consent Motion To Stay Initial Attorneys' Conference" (Document No. 9) and directed that the parties conduct an Initial Attorney's Conference within fourteen (14) days of filing a Mediation Report. (Document No. 10).

On July 1, 2021, the parties filed a "Consent Motion For Extension Of Mediation Deadline" (Document No. 11) seeking an additional forty-five (45) days to complete mediation. The Court promptly granted the parties' request and set a **September 16, 2021** deadline for the filing of a Mediation Report. (Document No. 12).

To date, the parties have failed to file a Mediation Report or Certificate of Initial Attorney's Conference. While the undersigned commends the efforts of the parties and counsel to resolve this matter, it is now time for this action to move forward.

IT IS, THEREFORE, ORDERED that the STAY of this case is hereby LIFTED.

IT IS FURTHER ORDERED that the parties shall file a Certificate Of Initial Attorney's Conference pursuant to Local Rule 16.1, or a Notice of Settlement, on or before **October 7, 2021**. Further extensions will not be allowed.

SO ORDERED.

Signed: September 22, 2021

David C. Keesler

United States Magistrate Judge